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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/838,147	04/20/2001	Zsolt Kun-Szabo	004770.00778	9518

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BANNER & WITCOFF, LTD.
1100 13th STREET, N.W.
SUITE 1200
WASHINGTON, DC 20005-4051

EXAMINER

IQBAL, KHAWAR

ART UNIT	PAPER NUMBER
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2617

MAIL DATE	DELIVERY MODE
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02/18/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/838,147	Applicant(s) KUN-SZABO ET AL.	
	Examiner KHAWAR IQBAL	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 October 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20, 25-26, 28-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-20 and 29-38 is/are allowed.
- 6) ☒ Claim(s) 25, 26, 28 and 39-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claim 42 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The original disclosure does not define the newly amended claimed limitations "one or more tangible computer storage media" page 7, line 1 raises a new matter.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 25, 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rupp et al (6,144,464) in view of Hind et al (6886095).

Regarding claim 25, Rupp discloses an apparatus comprising: a controller configured to receive an input of resource related information from another terminal (reads on query step see col. 10, lines 7-42), wherein the controller is further configured

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to negotiate a connection with the other terminal and subsequently to receive (or send) the information over the connection (reads on inner page negotiation step to adjust the data transmission rate and transfer or reception of facsimile data is attempted), wherein the apparatus comprises a wireless communication terminal (reads on wireless transceiver either interfaced via a cable or integrated with facsimile see col. 6, lines 39-51) (see Fig. 2 and col. 5, line 66 to col. 6, line 18 and line 39- col. 7, line 5 and col. 8, line 37 to col. 10, line 42). Rupp fails to explicitly disclose wherein the controller is arranged to receive the resource related information to the wireless terminal via a push command.

In a similar field of endeavor, Hind et al discloses wherein the controller is arranged to receive the resource related information to the wireless terminal via a push command (page # 13, lines 10-39, The user then pushes a button 6060 (not to exclude other means of making a selection) and the device accepts the pairing relationship and the device identifier (or optionally the link keys) are set into permanent or long-term storage (flash RAM or similar storage representing a local access control database)). At the time of the invention it would have been obvious to one of ordinary skill in the art to modify Rupp to include push technology for the purpose of initiating provisioning for enhancement of a mobile device and enabling efficient administration of secure devices within an enterprise without creating additional administrative overhead for initializing the devices.

Regarding claim 28, Rupp discloses an apparatus and method as claimed claim 25 respectively, wherein the terminal is a cellular radio telephone (col. 6, lines 40-43).

Claim 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rupp, in view of Rupp et al in view of Hind et al and Lee et al (6,490,291).

Regarding claim 26, Rupp and Hind disclose an apparatus and method as claimed in claim 25, respectively, but Rupp and Hind fails to disclose wherein the controller is configured to operate in accordance with a wireless application protocol.

In a similar field endeavor, Lee discloses wherein the controller is configured to operate in accordance with a wireless application protocol (col. 5, line 14 to col. 6, line 21). At the time of the invention it would have been obvious to one of ordinary skill in the art to modify Rupp and Hind to include WAP for the purpose of allowing communication via the internet in the wireless transceiver.

Claims 39-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rupp et al (6,144,464) in view of Hind et al (6886095) and Luna (20020123335).

Regarding claims 39-41, Rupp and Hind disclose an apparatus and method as claimed in claim 25, respectively, but fails to disclose the limitations of claims 39-41 wherein the apparatus wherein the sending of the resource related information to the another wireless terminal is conducted via a short message services.

Luna discloses wherein Luna further discloses the apparatus wherein the sending of the resource related information to the another wireless terminal is conducted via a short message services (and is comprised of a plurality of SMS text messages and wherein the SMS text is comprised of URLcard)(reads on URL address hyperlink in text message) (see Luna (page 2 [0017] and page 3 [0025])). At the time of the invention it would have been obvious to one of ordinary skill in the art to modify

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Rupp and Hind to include SMS for the purpose of allowing communication in the wireless transceiver.

Response to Arguments

3. Applicant's arguments with respect to claims 25-26, 28, and 39-42 have been considered but are moot in view of the new ground(s) of rejection.

4. Claims 1-20, 29-38 are allowed (previously action).

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KHAWAR IQBAL whose telephone number is (571)272-7909. The examiner can normally be reached on 9 am to 6.30 pm Monday to Thursday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, GEORGE ENG can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/George Eng/
Supervisory Patent Examiner, Art Unit 2617

Khawar Iqbal
Examiner
Art Unit 2617